



National Aeronautics and  
Space Administration  
Washington, DC 20546

# Procurement Notice

**PN 04-38**  
**December 1, 2008**

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## **PUBLICIZING CONTRACT ACTIONS**

**PURPOSE:** This change revises Part 1805 of the NASA FAR Supplement (NFS) to remove outdated references and streamline procedures for the publicizing of NASA contract actions.

**BACKGROUND:** This PN is the result on an ongoing project to review, revise, update, and simplify the NASA FAR Supplement.

**ACQUISITIONS AFFECTED BY CHANGES:** All proposed or actual contract actions initiated after the issuance date of this PN that require the dissemination of information pursuant to FAR Part 5.

**ACTION REQUIRED BY CONTRACTING OFFICERS:** Contracting officers must comply with the requirements for synopsisizing proposed contract actions and contract awards as well as the release of information to the public.

**CLAUSE CHANGES:** None.

**PARTS AFFECTED:** Part 1805.

**REPLACEMENT PAGES:** You may use the enclosed pages to replace Part 1805 of the NFS.

**TYPE OF RULE AND PUBLICATION DATE:** These changes do not have a significant effect beyond the internal operating procedures of NASA and do not have a significant cost or administrative impact on contractors or offerors, and therefore do not require codification in the Code of Federal Regulations (CFR) or publication for public comment.

**HEADQUARTERS CONTACT:** Leigh Pomponio, Office of Procurement, Contract Management Division, (202) 358-0592, email: leigh.pomponio@nasa.gov.

**//s//**

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Enclosures

**DISTRIBUTION LIST:**

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**PART 1805**  
**PUBLICIZING CONTRACT ACTIONS**

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**PART 1805**  
**PUBLICIZING CONTRACT ACTIONS**

**Subpart 1805.1--Dissemination of Information**

**1805.101 Methods of disseminating information.**

(b)(4) For NASA policy regarding paid advertisements, see 1805.502.

**Subpart 1805.2--Synopses of Proposed Contracts**

**1805.207 Preparation and transmittal of synopses.**

(a) Synopses shall be transmitted in accordance with 1804.570-2.

(c)(14) Notices for non-competitive solicitations, including non-competitive follow-on actions to contracts initially awarded utilizing full and open competition, shall provide sufficient information regarding the proposed requirement to allow potential sources to determine whether they possess the requisite capabilities and to make an informed business decision regarding whether to respond.

**Subpart 1805.3--Synopses of Contract Awards**

**1805.303 Announcement of contract awards.**

(a)(i) In lieu of the \$3.5 million threshold cited in FAR 5.303(a), a NASA Headquarters public announcement is required for award of contract actions that have a total anticipated value, including unexercised options, of \$5 million or greater.

#### **1805.303-70 Definitions.**

“Anticipated values,” as used in this subpart, means:

- (a) The estimated value of the contract (including unexercised options),
- (b) The expected definitized value of a letter contract or undefinitized contract action; or
- (c) The maximum value of the basic contract for indefinite delivery contracts, time and material, labor hour, and similar contracts.

#### **1805.303-71 Actions requiring Administrator Notification of a Significant Contract Action (ANOSCA) and NASA Headquarters Public Announcements (PA).**

(a)(1) All contract actions with anticipated values of \$25 million or greater require an Administrator Notification of a Significant Contract Action (ANOSCA).

(2) All contract actions with an anticipated value, including unexercised options, of \$5 million or greater require NASA Headquarters public announcements. In addition, an option exercise \$25 million or greater requires a NASA Headquarters public announcement.

(3) If the contracting officer considers that a contract action or other action at any dollar amount is of significant interest to Headquarters or has agency public information implications, the NASA Headquarters Office of Procurement, Program Operations Division, should be contacted to discuss a possible ANOSCA and/or NASA Headquarters PA. Examples of other actions include --

- (i) Terminations,
- (ii) Contract modifications,
- (iii) Exercise of options,
- (iv) Cost overrun modifications, or
- (v) Orders placed under single or multiple award contracts (including GSA).

(b) Contract actions requiring an ANOSCA and/or Headquarters Public Announcement shall not be distributed nor shall any source outside NASA be notified of its status until the procedures in 1805.303-72 are completed.

#### **1805.303-72 Administrator Notification of Significant Contract Action (ANOSCA) and NASA Headquarters Public Announcement procedures.**

(a)(1) The contracting officer shall send the information listed in items (a)(2) of this section to the Headquarters Office of Procurement, Program Operations Division via NASA Public Key Infrastructure (PKI) at least three (3) workdays prior to the planned public announcement. The contracting officer shall contact the Program Operations Division by telephone immediately prior to the impending electronic transmission. The contact must be “live”; leaving a voicemail is not sufficient, as there is no guarantee that a person so notified will be available to properly receive and handle the public announcement.

(2) An ANOSCA and NASA Headquarters public announcement shall be submitted on the template located in the Virtual Procurement Office at [http://procurement.nasa.gov/cgi-bin/vpo/vpo\\_matrix.cgi](http://procurement.nasa.gov/cgi-bin/vpo/vpo_matrix.cgi).

(3) The Headquarters Office of Legislative Affairs will coordinate the date of public announcement with the Headquarters Office of Public Affairs. The Headquarters Office of Public Affairs will then coordinate with the installation Public Affairs Office.

(i) The Headquarters Office of Legislative Affairs will coordinate the timing for notifying offerors with the contracting officer such that the offerors are notified prior to Congress, and Congress is notified prior to public announcement.

(ii) Installations may proceed with award and local release of the information after the Headquarters Office of Public Affairs makes the public announcement, which occurs at 5:00 PM ET on the agreed upon date, consistent with FAR 5.303.

#### **Subpart 1805.4--Release of Information**

##### **1805.403 Requests from Members of Congress.**

(a) All proposed replies to congressional inquiries shall be prepared and forwarded, with full documentation, to the Headquarters Office of Legislative Affairs for approval and release.

#### **Subpart 1805.5--Paid Advertisements**

##### **1805.502 Authority.**

Use of paid advertisements for procurement purposes (except CBD announcements) is not authorized in NASA.